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OCA 87-5816
23 November 1987

MEMORANDUM FOR: Director of Central Intelligence

THROUGH: Deputy Director of Central Intelligence
Executive Director

FROM: Director of Congressional Affairs

SUBJECT: Fiscal Year 1988 Intelligence Authorization Bill: Enrolled Bill Letter - Request for Signature

Attached for your signature is a letter to James C. Miller, III, Director for the Office of Management and Budget (OMB).

The letter provides your views on H.R. 2112, the Intelligence Authorization Act for Fiscal Year 1988. This bill is currently on the President's desk for signature, and the letter is being submitted pursuant to a normal procedure whereby OMB solicits the formal views of concerned agencies on bills before the President. You are providing your views as head of the Intelligence Community.

As the letter indicates, we support the bill. Besides authorizing appropriations for all agencies in the Intelligence Community, it also contains a number of legislative items of interest to the Community.

Also attached is a suggested signing statement for the President's use. Submitting such a statement along with the views letter to OMB is also part of the routine process followed each year.

Attachments: a/s
OCA/Leg/ (23 Nov 87) STAT
Distribution:
Original - Addressee
1 - DDCI
1 - ExDir
1 - Executive Registry
1 - DDO
1 - DDI
1 - Comptroller
1 - DDS&T
1 - DDA
1 - General Counsel
1 - D/OCA
1 - OCA Registry
1 - DD/SA/OCA
1 - DD/HA/OCA
1 - OCA Leg/Subj File: Intell/Auth for FY 89

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Washington, D.C. 20505

24 November 1987

The Honorable James C. Miller, III
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Miller:

This is in response to your request for the views of the Director of Central Intelligence on enrolled bill H.R. 2112, the Intelligence Authorization Act for Fiscal Year 1988.

This bill authorizes the appropriations of funds for the conduct of intelligence and intelligence-related activities. It represents the combined efforts of the House and Senate Intelligence and Armed Services Committees as well as the several agencies and departments within the Intelligence Community to assure proper funding for such activities.

We were disappointed that the funding levels authorized by the bill were less than had been requested. However, members of the Intelligence Community will do everything possible to meet the complex and diverse challenges that we face within the budget constraints imposed by Congress.

On the other hand, we were pleased to see included in the bill again this year many of the legislative initiatives contained in the Adminstration's draft version of the bill previously sent to the Congress. These were: Section 601, which authorizes a uniform allowance for certain employees of the Defense Intelligence Agency (DIA); Section 602, which extends certain personnel authorities granted to the Department of Defense with respect to intelligence personnel; and Section 603, which gives DIA the authority to better protect its information from unauthorized disclosure.

Finally, while we were disappointed that the provision equalizing the tax treatment of certain benefits received by employees of DIA and the National Security Agency was not included in the final bill, we intend to continue our efforts to secure its passage in the Second Session of the 100th Congress.

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For the reasons set forth above, I recommend Presidential approval of the bill. Enclosed is a suggested signing statement for the President's use effecting the views set forth in this letter.

Sincerely yours,

William H. Webster

William H. Webster
Director of Central Intelligence

Enclosure

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PRESIDENTIAL SIGNING STATEMENT
FISCAL YEAR 1988 INTELLIGENCE AUTHORIZATION ACT
(H.R. 2112)

I am pleased to sign H.R. 2112, the Intelligence Authorization Act for Fiscal Year 1988. This legislation authorizes the appropriation of funds for United States intelligence and intelligence-related activities. It represents the combined efforts of the Senate and House Intelligence and Armed Services Committees, as well as the various agencies and departments in the Intelligence Community, to assure adequate funding for these important activities.

The bill also contains many positive legislative initiatives which are the product of cooperation between these committees and the Community. We were all pleased to see the results of this cooperation and will work to insure it continues in the future.

I was disappointed that the funding levels authorized by this bill are less than I had requested. However, the Intelligence Community will do everything possible to meet the complex and diverse challenges it faces within the budget restraints imposed by Congress. In these times of fiscal constraint, it is necessary for all agencies to share in budget reductions and the Community stands ready to do its part. I look forward to continuing to work together with the Congress to insure that whatever is required will not undermine our continuing efforts to build a strong intelligence capability for the United States.

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TO : D/OCA	CONTROL #	DATE OF REQUEST
	OCA 87-5816 & 5817	20 November 1987
FROM :		SUSPENSE DATE 23 November 1987

SUBJECT: Fiscal Year 1988 Intelligence Authorization Bill
Enrolled Bill Letter

F16 - FY88 Intl Auth

NOTES

When a bill reaches the President's desk for signature, the Office of Management and Budget (OMB) sends a call to the agency concerned requesting a letter from the agency head to OMB giving the agency's views on the bill. Theoretically, the letter will help to guide the President in making his decision on what action to take with respect to the bill. The letter is commonly referred to as an "enrolled bill letter".

Earlier this week the conference report on the Fiscal Year 1988 Intelligence Authorization Bill, H.R. 2112, cleared Congress and was sent to the President for signature. The attached package contains the enrolled bill letter on H.R. 2112 for the Director's signature, as well as a suggested signing statement for the President.

The letter states that we approve the bill. There are no provisions of major concern to us; in fact, included in the bill are a number of legislative items which we support.

COORDINATED WITH (list names as well as offices)

NAME	OFFICE	DATE
[redacted]	Deputy/COMPT	11-18-87
NAME	OFFICE	DATE
NAME	OFFICE	DATE
NAME	OFFICE	DATE

ACTION REQUIRED BY **D/OCA**

Please sign:

cover memo
pink sheet

STAT

FORM 2-86 **4118** OBSOLETE PREVIOUS EDITIONS

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OCA 87-5792

ACTION

OFFICE OF CONGRESSIONAL AFFAIRS

Routing Slip

	ACTION	INFO
1. D/OCA		X
2. DD/Legislation	X	
3. DD/Senate Affairs		X
4. Ch/Senate Affairs		
5. DD/House Affairs		X
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		X
12.		

STAT

SUSPENSE 23 NOV 87 Date

STAT

Action Officer:

Remarks: ACTION COMPLETED PER 23 NOV 1987 (SEE ATCHD)

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EO 23 NOV 87

Name/Date

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

O/CONGRESSIONAL AFFAIRS
OCA 87-5792

ENROLLED BILL REQUEST

November 18, 1987

TO: LEGISLATIVE LIAISON OFFICERS:
Dept of Justice - Jack Perkins - 633-2113
Dept of Defense - Sam Brick - 697-1305
Office of Personnel Management - Jim Woodruff - 632-5524
Dept of State - LeeAnne Howdershell - 647-4463
Dept of Treasury - Rick Carro - 566-8523
Dept of Energy - Bob Rabben - 586-6718
Central Intelligence Agency - [redacted] STAT
National Security Council - Jim Collins

SUBJECT: ENROLLED BILL - H.R. 2112, Intelligence Authorization Act, FY 1988

In accordance with OMB Circular No. A-19, your written views and recommendation for Presidential action are requested on H.Rept. 100-432, as printed in November 10, 1987, Congressional Record, pages H9928-9936.

Please consult section 10 of OMB Circular No. A-19, pages 12-14, for instructions regarding the preparation of enrolled bill letters and the procedures to be followed on enrolled bills.

Within **TWO DAYS** (including holidays but excluding Sundays) after receipt of this request, your reply (original and one copy) should be delivered **VIA SPECIAL MESSENGER** to Mrs. Julia Yuille, Room 7201, New Executive Office Building. (In addition, you may wish to send in advance a copy of your views letter using telecopier equipment by calling 395-3130.)

Your cooperation in meeting this deadline is needed to provide maximum time for Presidential action on the enrolled bill.

A regular facsimile of the enrolled bill will be sent to you when it is available. The legislative analyst handling this bill is Sue Thau (phone 395-7300).

James M. Frey

JAMES M. FREY
Assistant Director for
Legislative Reference

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H. R. 2112

OCA-87-5792

One Hundredth Congress of the United States of America

AT THE FIRST SESSION

Begun and held at the City of Washington on Tuesday, the sixth day of January, one thousand nine hundred and eighty-seven

An Act

To authorize appropriations for fiscal year 1988 for intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intelligence Authorization Act, Fiscal Year 1988".

TITLE I—INTELLIGENCE ACTIVITIES

AUTHORIZATION OF APPROPRIATIONS

SEC. 101. Funds are hereby authorized to be appropriated for fiscal year 1988 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of the Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The Drug Enforcement Administration.

CLASSIFIED SCHEDULE OF AUTHORIZATIONS

SEC. 102. (a)(1) This Act authorizes funds for intelligence and intelligence-related activities of the United States Government for fiscal year 1988 based upon two alternative levels of new budget authority provided for national defense functions (budget function 050) through congressional budget procedures. In section 3(b)(1) of the concurrent resolution on the budget for fiscal year 1988 (House Concurrent Resolution 93 of the One Hundredth Congress), Congress determined and declared that the appropriate level of new budget authority for national defense for fiscal year 1988 is $296,000,000,000. This Act authorizes funds based upon that determination and declaration and the assumption that that level of budget authority is available to be appropriated.

(2) Section 5(a)(1) of the concurrent resolution reserved $7,000,000,000 of that amount from availability for appropriation pending enactment of certain deficit reduction legislation, leaving a level of $289,000,000,000 immediately available for appropriation. This Act authorizes alternative levels of funds based upon that budget authority amount.

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(b) The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1988, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the column entitled "Conference Agreement" of the classified Schedule of Authorizations prepared by the committee of conference to accompany H.R. 2112 of the One Hundredth Congress except that, if as of the date of the enactment of this Act there has not been enacted legislation that results in the availability for appropriation of a level of new budget authority for national defense functions of the Government (budget function 050) for fiscal year 1988 in an amount greater than $289,000,000,000 then until such legislation is enacted such amounts and ceilings are those specified in the column entitled "Contingent Level" of such classified Schedule of Authorizations: *Provided,* That notwithstanding the requirements of section 502(a)(1) of the National Security Act of 1947, funds for the activities listed in that part of such Schedule entitled "Unauthorized Appropriations" may be obligated and expended only to the extent to which funds are appropriated therefore in fiscal year 1988.

(c) The Schedule of Authorizations described in subsection (b) shall be made available to the Commmittee on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

(d)(1) It is the sense of Congress that, in allocating reductions of nonheadquarters personnel of Defense Agencies pursuant to subsection (b)(2)(A) and subsection (d) of section 601 of Public Law 99-433 (100 Stat. 1065), the Secretary of Defense should avoid allocating personnel reductions to the Defense Intelligence Agency or the Defense Mapping Agency.

(2) For purposes of paragraph (1), the term "nonheadquarters personnel" means members of the Armed Forces and Civilian employees assigned or detailed to permanent duty in the Defense Agencies and Department of Defense Field Activities, other than members and employees assigned or detailed to duty in management headquarters activities or management headquarters support activities.

PERSONNEL CEILING ADJUSTMENTS

SEC. 103. The Director of Central Intelligence may authorize employment of civilian personnel in excess of the numbers authorized for fiscal year 1988 under sections 102 and 202 of this Act when he determines that such action is necessary to the performance of important intelligence functions, except that such number may not, for any element of the Intelligence Community, exceed 2 per centum of the number of civilian personnel authorized under such sections for such element. The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

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RESTRICTION ON SUPPORT FOR MILITARY OR PARAMILITARY OPERATIONS IN NICARAGUA

SEC. 104. Funds available to the Central Intelligence Agency, the Department of Defense, or any other agency or entity of the United States involved in intelligence activities may be obligated and expended during fiscal year 1988 to provide funds, materiel, or other assistance to the Nicaraguan democratic resistance to support military or paramilitary operations in Nicaragua only as authorized in section 101 and as specified in the classified Schedule of Authorizations referred to in section 102, or pursuant to section 502 of the National Security Act of 1947, or pursuant to section 101(a)(1) of the Act making continuing appropriations for the fiscal year 1988 (Public Law 100-120), or pursuant to any provision of law specifically providing such funds, materiel, or assistance.

TITLE II—INTELLIGENCE COMMUNITY STAFF

AUTHORIZATION OF APPROPRIATIONS

SEC. 201. There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1988 the sum of $23,614,000.

AUTHORIZATION OF PERSONNEL END STRENGTH

SEC. 202. (a) The Intelligence Community Staff is authorized 237 full-time personnel as of September 30, 1988. Such personnel of the Intelligence Community Staff may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(b) During fiscal year 1988, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(c) During fiscal year 1988, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

INTELLIGENCE COMMUNITY STAFF ADMINISTERED IN SAME MANNER AS CENTRAL INTELLIGENCE AGENCY

SEC. 203. During fiscal year 1988, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) in the same manner as activities and personnel of the Central Intelligence Agency.

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TITLE III—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

AUTHORIZATION OF APPROPRIATIONS

SEC. 301. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1988 the sum of $134,700,000.

TITLE IV—RETIREMENT AND DEATH IN SERVICE BENEFITS

RETIREMENT BENEFITS

SEC. 401. (a) Part C of title II of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees is amended by adding at the end the following section:

"RETIREMENT BENEFITS FOR CERTAIN FORMER SPOUSES

"SEC. 225. (a) Any individual who was a former spouse of a participant or a former participant on November 15, 1982, shall be entitled, to the extent of available appropriations, and except to the extent such former spouse is disqualified under subsection (b), to benefits—

"(1) if married to the participant throughout the creditable service of the participant, equal to 50 per centum of the benefits of the participant; or

"(2) if not married to the participant throughout such creditable service, equal to that former spouse's pro rata share of 50 per centum of such benefits.

"(b) A former spouse shall not be entitled to benefits under this section if—

"(1) the former spouse remarries before age fifty-five; or

"(2) the former spouse is less than fifty years of age.

"(c)(1) The entitlement of a former spouse to benefits under this section—

"(A) shall commence on the later of—

"(i) the day the participant upon whose service benefits are based becomes entitled to benefits under this title;

"(ii) the first day of the month in which the divorce or annulment involved becomes final; or

"(iii) such former spouse's fiftieth birthday; and

"(B) shall terminate on the earlier of—

"(i) the last day of the month before the former spouse dies or remarries before fifty-five years of age; or

"(ii) the date the benefits of the participant terminate.

"(2) Notwithstanding paragraph (1), in the case of any former spouse of a disability annuitant—

"(A) the benefits of the former spouse shall commence on the date the participant would qualify on the basis of his or her creditable service for benefits under this title (other than disability annuity) or the date the disability annuity begins, whichever is later; and

"(B) the amount of benefits of the former spouse shall be calculated on the basis of benefits for which the participant would otherwise so qualify.

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"(3) Benefits under this section shall be treated the same as an annuity under section 222(a)(6) for purposes of section 221(g)(2) or any comparable provision of law.

"(4)(A) Benefits under this section shall not be payable unless appropriate written application is provided to the Director, complete with any supporting documentation which the Director may by regulation require, within thirty months after the effective date of this section. The Director may waive the thirty-month application requirement under this subparagraph in any case in which the Director determines that the circumstances so warrant.

"(B) Upon approval of an application as provided under subparagraph (A), the appropriate benefits shall be payable to the former spouse with respect to all periods before such approval during which the former spouse was entitled to such benefits under this section, but in no event shall benefits be payable under this section with respect to any period before the effective date of this section.

"(d) The Director shall—

"(1) as soon as possible, but not later than sixty days after the effective date of this section, issue such regulations as may be necessary to carry out this section; and

"(2) to the maximum extent practicable, and as soon as possible, inform each individual who was a former spouse of a participant or a former participant on November 15, 1982, of any rights which such individual may have under this section.

"(e) Nothing in this section shall be construed to impair, reduce, or otherwise affect the annuity or the entitlement to an annuity of a participant or former participant under this title.".

(b) Section 14(a) of the Central Intelligence Agency Act of 1949 is amended by inserting "225," after "223, 224,".

DEATH IN SERVICE BENEFITS

SEC. 402. (a) Section 232(b) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees (50 U.S.C. 40(b) note) is amended—

(1) by inserting "(1)" before "If a participant";

(2) by striking all that follows "as defined in section 204," and inserting in lieu thereof "or by a former spouse qualifying for a survivor annuity under section 222(b), such widow or widower shall be entitled, to the extent of available appropriations, to an annuity equal to 55 per centum of the annuity computed in accordance with paragraphs (2) and (3) of this subsection and section 221(a), and any such surviving former spouse shall be entitled, to the extent of available appropriations, to an annuity computed in accordance with section 222(b) and paragraph (2) of this subsection as if the participant died after being entitled to an annuity under this Act. The annuity of such widow, widower, or former spouse shall commence on the date following death of the participant and shall terminate upon death or remarriage prior to attaining age sixty of the widow, widower, or former spouse (subject to the payment and restoration provisions of sections 221(g) and 222(b)(3)).''; and

(3) by adding at the end the following new paragraphs:

"(2) The annuity payable under paragraph (1) shall be computed in accordance with section 221(a), except that the computation of the annuity of the participant under such section shall be at least the smaller of (A) 40 per centum of the

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participant's average basic salary, or (B) the sum obtained under such section after increasing the participant's service of the type last performed by the difference between the participant's age at the time of death and age sixty.

"(3) Notwithstanding paragraph (1), if the participant had a former spouse qualifying for an annuity under section 222(b), the annuity of a widow or widower under this section shall be subject to the limitation of section 221(b)(3)(B), and the annuity of a former spouse under this section shall be subject to the limitation of section 222(b)(4)(B).".

(b)(1) Section 221(o)(2) of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees is amended by inserting "232(b)," after "222, 223,".

(2) Section 304 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees is amended—

(A) in subsection (b) by inserting "and (3)" after "subsection (c)(2)"; and

(B) in subsection (c)—

(i) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(ii) by inserting after paragraph (2) a new paragraph as follows:

"(3) Section 232(b).".

(3) Section 14(a) of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403n(a)) is amended by inserting "232(b)," before "234(c), 234(d),".

(c)(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on November 15, 1982, the effective date of the Central Intelligence Agency Spouses' Retirement Equity Act of 1982.

(2) The amendment made by subsection (b)(2) shall take effect on January 1, 1987, the effective date of the Federal Employees' Retirement System Act of 1986.

(d) Nothing in this section or any amendment made by this section shall be construed to require the forfeiture by any individual of benefits received before the date of the enactment of this Act.

(e) Nothing in this section or any amendment made by this section shall be construed to require a reduction in the level of benefits received by any individual who was receiving benefits under section 232 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees before the date of enactment of this Act.

TITLE V—ENHANCED COUNTERINTELLIGENCE AND SECURITY CAPABILITIES

REPORT ON ADMISSION OF CERTAIN ALIENS

SEC. 501. The Attorney General shall report annually to the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence regarding the circumstances of any admission to the United States over the objections of the Federal Bureau of Investigation, of any Soviet national employed by or assigned to a foreign mission or international organization in the United States.

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FBI NEW YORK FIELD DIVISION EMPLOYMENT PLAN

SEC. 502. (a) The Director of the Federal Bureau of Investigation and the Director of the Office of Personnel Management shall conduct a study to ascertain the effect on recruitment, retention and operations of employees of the New York Field Division of the Federal Bureau of Investigation caused by the usual living expenses associated with such employment.

(b) No later than sixty days after the enactment of this Act, the Director of the Federal Bureau of Investigation and the Director of the Office of Personnel Management shall submit to the Congress a report setting forth the results of the study described in subsection (a) and a plan for remedying problems identified by the study, including, as appropriate, additional compensation or other means of defraying the costs of employment in the New York Field Division.

TITLE VI—DEFENSE INTELLIGENCE PERSONNEL IMPROVEMENTS

DIA CIVILIAN UNIFORM ALLOWANCE

SEC. 601. (a) COMPARABILITY WITH STATE DEPARTMENT EMPLOYEES.—Chapter 83 of title 10, United States Code, is amended by inserting at the end thereof the following new section:

"§ 1606. Uniform allowance: civilian employees

"(a) The Secretary of Defense may pay an allowance under this section to any civilian employee of the Defense Intelligence Agency who—

"(1) is assigned to a Defense Attaché Office outside the United States; and

"(2) is required by regulation to wear a prescribed uniform in performance of official duties.

"(b) Notwithstanding section 5901(a) of title 5, the amount of any such allowance shall be the greater of the following:

"(1) The amount provided for employees of the Department of State assigned to positions outside the United States and required by regulation to wear a prescribed uniform in performance of official duties.

"(2) $360 per year.

"(c) An allowance paid under this section shall be treated in the same manner as is provided in subsection (c) of section 5901 of title 5 for an allowance paid under that section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end thereof the following new item:

"1606. Uniform allowance: civilian employees.".

EXTENSION OF SPECIAL TERMINATION AUTHORITY FOR CERTAIN DOD INTELLIGENCE EMPLOYEES

SEC. 602. (a) DEFENSE INTELLIGENCE AGENCY.—Section 1604(e)(1) of title 10, United States Code, is amended by striking out "during fiscal years 1986 and 1987" and inserting in lieu thereof "during fiscal years 1988 and 1989".

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(b) MILITARY DEPARTMENTS.—Section 1590(e)(1) of such title is amended by striking out "during fiscal year 1987" and inserting in lieu thereof "during fiscal years 1988 and 1989".

REQUIREMENTS TO DISCLOSE ORGANIZATIONAL AND PERSONAL DATA: DIA EXEMPTION

SEC. 603. (a) Chapter 83 of title 10, United States Code, is amended by inserting the following new section:

"§ 1607. Exemption from disclosing organizational and personal data

"Notwithstanding the provisions of any other law, and except as provided herein and as required by section 552 or section 552a of title 5, United States Code, the Defense Intelligence Agency shall not be required to disclose the organization or any function of the Defense Intelligence Agency or the names, official titles, occupational series, grades, salaries or numbers of personnel employed by such Agency. This section shall not apply to information provided the Congress.".

TITLE VII—STUDY OF INTELLIGENCE PERSONNEL SYSTEMS

SEC. 701. (a) The Director of Central Intelligence shall undertake to contract with the National Academy of Public Administration (hereinafter referred to as the Academy) for an objective study which shall be classified and which shall consist of a comprehensive review and comparative analysis of all personnel management and compensation systems affecting civilian personnel of agencies and entities of the intelligence community.

(b) In conducting the study described in subsection (a), the Academy shall determine the adequacy of existing personnel systems to further the ability of intelligence agencies or entities to perform their missions, and make such recommendations for legislative, regulative or other changes as the Academy determines advisable.

(c) The study described in subsection (a) shall be completed in final form no later than January 20, 1989, and such study, and any interim report of such study, shall be transmitted upon receipt by the Director of Central Intelligence to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) Of the amount available to the Intelligence Community Staff for fiscal year 1988 under section 201, not more than $500,000 shall be available for the study described in subsection (a).

(e) The Director of Central Intelligence, the Director of the Intelligence Community Staff, and the heads of the elements of the intelligence community shall provide such support and appropriate access to necessary information as the Academy may require to complete the study described in subsection (a).

TITLE VIII—GENERAL PROVISIONS

RESTRICTION OF CONDUCT OF INTELLIGENCE ACTIVITIES

SEC. 801. The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or laws of the United States.

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INCREASES IN EMPLOYEE BENEFITS AUTHORIZED BY LAW

SEC. 802. Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such benefits authorized by law.

TITLE IX—MOUNT ALTO EMBASSY SITE

ASSESSMENT OF SOVIET ELECTRONIC ESPIONAGE CAPABILITY

SEC. 901. (a) REVIEW AND ASSESSMENT.—The Secretary of Defense shall review and assess the present and potential capabilities of the Government of the Soviet Union to intercept United States communications involving diplomatic, military, and intelligence matters from facilities on Mount Alto in the District of Columbia. The Secretary shall submit to Congress a report on such review and assessment not later than ninety days after the date of the enactment of this Act.

(b) DETERMINATION OF CONSISTENCY WITH NATIONAL SECURITY.—The report required by subsection (a) shall include a determination by the Secretary of Defense as to whether or not the present and proposed occupation of facilities on Mount Alto by the Government of the Soviet Union is consistent with the national security of the United States.

(c) CLASSIFICATION OF REPORT.—The report required by subsection (a) shall be submitted in both classified and unclassified form, and the determination required by subsection (b) shall be submitted in an unclassified form.

(d) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate the duty to make the determination required by subsection (b).

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

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